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**A.No.4333 of 2024**  
**in C.S.(Comm.Div.)No.231 of 2023**

**SENTHILKUMAR RAMAMOORTHY,J**

By order dated 05.06.2024, the case management schedule was fixed. In terms thereof, the examination in chief of P.W.1 was required to be commenced and concluded on 18.06.2024. At the hearing before learned Additional Master No.III on 18.06.2024, the examination in chief of P.W.1 could not be concluded because the witness was unwell. On that ground, the suit was dismissed for default on 29.07.2024.

2. In the affidavit in support of this application, it is stated that Mr.Jyothi Basu, who was to be examined as P.W.1, was suffering from a viral infection on 18.06.2024. Since the schedule specified that the examination in chief should be concluded on 18.06.2024, it is stated that the matter was posted before this Court on 29.07.2024.



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**SENTHILKUMAR RAMAMOORTHY,J**

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3. Learned counsel for the sole defendant does not have any serious objection to this application being allowed.

4. Upon examining the sequence of dates and events and the reasons set out in the affidavit, I am of the view that sufficient cause is shown. Hence, this application is allowed and the suit is restored to the file of this Court.

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**04.09.2024**  
(1/2)

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